



PART of  
paper #8

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Anastasios Melis et al )

Atty Dkt. No. NREL #99-29

Serial No. : 09/748,690 )

Filing Date: 12/22/00 )

Group Art: 1651

Examiner: V. Afremova

Title: HYDROGEN PRODUCTION USING  
HYDROGENASE-CONTAINING  
OXYGENIC PHOTOSYNTHETIC  
ORGANISMS )

RECEIVED  
NOV - 7 2002  
TECH CENTER 1800/2000

**AFFIDAVIT SWEARING BACK OF REFERENCE UNDER 37 CFR §1.131**

Hon. Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**AFFIDAVIT**

Anastasios Melis, Liping Zhang, John R. Benemann, Maria Ghirardi, Michael Seibert and Marc Forestier being duly sworn depose and say:

that they are the inventors who, on Dec. 22, 2000, filed the above-identified application;

that they completed their invention, having made and disclosed the same to others, in this country prior to the Proceedings of the 1999 U.S. DOE Hydrogen Program Review of Anastasios Melis, et al. and prior to the publication date of SUSTAINED PHOTOBIOLOGICAL HYDROGEN GAS PRODUCTION UPON REVERSIBLE INACTIVATION OF OXYGEN EVOLUTION IN THE GREEN ALGA, *Chlamydomonas reinhardtii*;

that prior to 1999, they conducted the research that matured into this application, and a photo-static copy of this research is attached hereto;

that they do not know and do not believe that the invention has been in public use or on sale in this country, or patented or described in a printed publication in this or any foreign country for more than one year prior to their application date, and they have never abandoned this invention.

Richard Malkin

Witness RICHARD MALKIN

Anastasio Melis

Anastasios Melis

29.0ct.02

Date

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Witness

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Liping Zhang

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Date

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John R. Benemann

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Maria Ghirardi

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Michael Seibert

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Witness

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Marc Forestier

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Date

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Witness

Brenda Brantley  
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\_\_\_\_\_  
Anastasios Melis

Liping Zhang  
Liping Zhang

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Date

Oct. 25, 2002  
Date

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Witness

Brenda Brantley  
Witness

\_\_\_\_\_  
John R. Benemann

M. Ghirardi  
Maria Ghirardi

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Date

Oct 25, 2002  
Date

Brenda Brantley  
Witness

Michael Seibert  
Michael Seibert

Oct. 25, 2002  
Date

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Witness

\_\_\_\_\_  
Marc Forestier

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Date

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Anastasios Melis

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Michael Seibert

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M. Forestier  
\_\_\_\_\_  
Marc Forestier

10/28/02  
\_\_\_\_\_  
Date

Dr. Friedrich Jüttner  
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Witness

Friedrich Jüttner  
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10/28/02  
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Anastasios Melis

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Marc Forestier

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